

August 5, 2019

RESOLUTION duly moved by Perry and seconded by Forrestel to go into an executive session regarding personnel matters at 6:37 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Middaugh and seconded by Forrestel to come out of the executive session regarding personnel matters at 7:13 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

A REGULAR MEETING of the Akron Village Board was held on this date at 7:15 p.m. Present: Mayor Carl E. Patterson; Trustees E. Peter Forrestel, Michael R. Middaugh, Brian T. Perry and Darrin L. Folger; Village Attorney Andrew Borden, Treasurer Tammy Kelley, Clerk Jayne DeTine, Chief of Police Richard Lauricella, Public Works Manager Jon Cummings and Code Enforcement Officer Michael Borth.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Folger and seconded by Forrestel that the Minutes of the Special Meetings of July 22 and 29, 2019 be and hereby are approved by the Village Board.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION, duly moved by Middaugh seconded by Perry that the audit of the bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$	16,557.54
Electric Fund	\$	100,612.95
Water Fund	\$	20,947.17
Sewer Fund	\$	7,878.84
Capital Projects/Sewer	\$	59,400.00

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Middaugh and seconded by Folger that the following building permit be and hereby are approved with the application and approval of the Code Enforcement Officer:

Heather Lynch	135 Main St	Windows	\$50.00
James Fromwiller	12 Lewis Rd	Swimming Pool	\$100.00
John O'Donnell	22 Wesley Drive	Roof	\$50.00

Robert Hastrich	177 Main Street	Windows	\$50.00
Robert Hastrich	177 Main Street	Front Porch	\$50.00
Ronald Martin	58 Main Street	Sidewalk Canopy	\$100.00
Wen Biao Yang	65 Main Street	Sign	\$100.00
Andy Kelkenberg	66 Main Street	Sidewalk Canopy	\$100.00
Emprise Group	32 Main Street	Sidewalk Canopy	\$100.00
Herman Clouse	68 Main Street	Sidewalk Canopy	\$100.00
Kevin Ward	56 Main Street	Sidewalk Canopy	\$100.00
Michael Rudz	6 Sylvan Pkwy	Roof	\$50.00
Kent Huth	7 Parkview Drive	Driveway	\$50.00
Cheryl Esposito	171 East Avenue	Fence	\$50.00
David Weidman	55 Parkview Drive	Windows	\$100.00
Jeremy Crafts	71 Clarence Ctr. Rd	Windows	\$100.00
Shawn Johnson	163 East Avenue	Waterline replaced	\$100.00
Paul Stempniak	21 Marshall Avenue	Fence/front steps	\$100.00
Eric Paterson	50 Bloomingdale Ave	Remodel Home	\$560.00
Kurt Schie	42 Jackson Street	Building E	\$4,350.00
Felicia Izydorczak	57 Parkview Drive	Windows	\$50.00
Rick Falkenstein	107 East Avenue	Roof	\$50.00
Thomas Reinke	12 Flint Avenue	Sewer Line	\$100.00
Rose Hubbard	11 Hart Street	Roof	\$50.00

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Folger and seconded by Perry that the following Applications for a Dumpster Permit be and hereby are approved in accordance with the application filed and payment of permit fee:

Parker Steven	40 Eckerson Avenue	Temporary	\$50.00
Judith Bell	49 East Avenue	Temporary	\$50.00

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

PUBLIC HEARING – none

APPEARANCE – Richard McNamara, Treasurer for the Northern Erie Sno-Seekers, Inc came before the Board to request permission to utilize the West Shore Bike Path in the Village of Akron, the same as the past 11 years. Mr. McNamara also invited the Board to their Fall Open House on September 17, 2019 from 9:00 am – noon.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to accept the agreement with the Northern Erie Sno-Seekers for the 2019-2020 winter season providing the proper paperwork is provided to the Village Office.

WHEREAS, the Village of Akron has received a request from the Northern Erie Sno-Seekers, Inc., to use a portion of the Bike Path in the Village of Akron for snowmobile use;

WHEREAS, the Northern Erie Sno-Seekers, Inc., contacted the Village Board on August 5, 2019 to renew their permission to use a portion of the Bike Path in the Village of Akron for snowmobile use;

NOW, THEREFORE, A RESOLUTION, duly moved by Forrestel, seconded by Folger, based on information submitted by the Northern Erie Sno-Seekers, Inc., and upon the Village's review, the Village Board authorizes the Northern Erie Sno-Seekers, Inc., to use the Bike Path within the Village of Akron from December 15, 2019 through April 1, 2020, subject to random

enforcement of speed, unreasonable noise and DWI, be and hereby is approved by the Village Board, subject to the following:

1. That the Village Board does hereby authorize the Northern Erie Sno-Seekers, Inc., to use the Bike Path beginning at Cedar Street and running southwest to Clarence Center Road, along a route that shall be specifically marked out by the Northern Erie Sno-Seekers, Inc., and approved by the Village of Akron Superintendent of Public Works,

a. The Northern Erie Sno-Seekers must provide the Village with proof of liability coverage naming the Village of Akron as additional insured in an amount satisfactory to the Village. If such coverage is part of blanket coverage for all snowmobile clubs throughout the State of New York, the Village of Akron must be specifically named as an additional insured on such policy.

b. The Northern Erie Sno-Seekers must provide the Village with an updated copy of its certificate of incorporation and by-laws and of its rules and regulations for operation of snowmobiles on trails maintained by them.

c. The Northern Erie Sno-seekers will provide to the Village an indemnification agreement holding the Village harmless and defending the Village from all property damages and personal injuries occasioned by the activities of the Northern Erie Sno-Seekers, their members, agents, invitees or employees on any Village lands during the term of the agreement to use the Bike Path.

d. The use of the right-of-way shall begin on the last day of deer hunting season and shall terminate on April 1, 2020.

e. The Northern Erie Sno-Seekers, Inc. must cooperate with the Village to clearly mark the trail, which trail shall be located off the paved portions of the Bike Path and post speed limits and rules and regulations governing the use of the trails, satisfactory to the Village.

f. The Northern Erie Sno-Seekers, Inc., shall use the Bike Path in a manner that allows for the use of the same facilities by others including hikers and cross-country skiers.

g. The Northern Erie Sno-Seekers, Inc. shall use their best efforts to avoid damage to Village Property, injury to individuals, or excessive noise.

h. Failure to abide by all these conditions may result in the Village Board's withdrawal or rescinding of the consent of the Village to use the Bike Path.

2. This resolution shall take effect immediately.

ADOPTED	CARL E. PATTERSON	-AYE
	E. PETER FORRESTEL	-AYE
	MICHAEL R. MIDDAUGH	-AYE
	BRIAN T. PERRY	-AYE
	DARRIN L. FOLGER	-AYE

PUBLIC COMMENT – None

PROJECT REPORTS –

Village Hall ADA Front Entrance Project – Attorney Borden would like to meet With Public Works Manager Jon Cummings, Code Enforcement Michael Borth, Village Engineer Ed Schiller and Clerk Jayne DeTine to review and answer questions regarding the water damage issue requested from Attorney Brian Stamm.

Main Street Milling and Paving Project – Still on hold due to the movie.

MONTHLY REPORTS –

Departments –

VILLAGE ATTORNEY – reported: covered during work session. Waiting to hear from Charter Communications regarding contract negotiations. Nothing new from Monroe Water Authority as of today.

CLERK –submitted report for July 2019 reported: Collected 1163 Tax Bills in the amount of \$1,055,805.43 (\$96.95%); continued working with Mara, Monica and Jacob from Paramount with requests and paperwork regarding the movie; attended the Movie Meeting held July 9, 2019 at 6pm; was on vacation from July 22- 26, 2019; attended the Joint Board Meeting

with the Village and Town Boards on July 29, 2019; completed the annual review for Deputy Clerk Felicia Izydorczak and recommended a step increase; Ti-Sales representative Debbie Richards trained Deputy Clerk-Treasurer Sarah Michel on the new meter reader; attended a webinar on July 30, 2019 for Water Infrastructure Improvement Act and Intermunicipal Water Infrastructure Grant Program

CHIEF OF POLICE – submitted report for July 2019 and schedule for August 2019. Reported: Officer Chris Heiderman will be on vacation for most of the month of August; completed the security services for Paramount Pictures; Cars Shows and Dancing under the Stars events were all covered and had no issues.

PUBLIC WORKS MANAGER – reported: Still preparing for the micro-paving of Upper Hoag Avenue, Upper Marshall Avenue, Upper Main Street, Oak Street and Indianola Avenue now that the filming is done; also continuing the pipe work and curb work on the streets of Liberty, Washington and Mill; discussed the plans from the Town of Newstead for a new water district; discussed the drainage issue on East Avenue with the Board; would like to recommend hiring Wm. Schutt Engineering to develop a CMOM (Capacity Management, Operation and Maintenance) Plan and Report for the Village Wastewater Collection System at the request of the NYS DEC at a cost of \$12,450.00.

RESOLUTION duly moved by Forrestel and seconded by Perry to approve the proposal from Wm. Schutt Engineering to develop a CMOM (Capacity Management, Operation and Maintenance) Plan and Report for the Village Wastewater Collection System as per the request from the NYS DEC at a cost of \$12,450.00 be and hereby is approved.

ADOPTED	CARL E. PATTERSON	-AYE
	E. PETER FORRESTEL	-AYE
	MICHAEL R. MIDDAUGH	-AYE
	BRIAN T. PERRY	-AYE
	DARRIN L. FOLGER	-AYE

CODE ENFORCEMENT OFFICER – submitted report for July 2019. Reported: continued working with Monica, Mara and Jacob from Paramount Pictures; a trial is scheduled for August 28, 2019 for the property violations at 37 Cedar Street; recommended inviting the Erie County Clerk’s Zombie Initiative Representative to the Code Enforcement Committee Meeting scheduled for September 9, 2019; discussion held about height of fence allowed in front of residents homes; discussion held regarding the fire at 11 Wesley Drive where the Mobile Home was a complete loss, Mike stated he was moving forward with the Demo and Air Quality Control for the site due to safety issues. Trustee Middaugh asked about hedges at 80 John Street, Mike replied that the resident was having them removed in the near future.

#### Elected Officials –

#### TRUSTEES – COORDINATORS

Trustee Perry – reported: Received letter from Ed Rath regarding grant funding from the State. Scheduled an Electric Committee meeting for August 26, 2019 at 2 pm.

Trustee Middaugh – reported: will attend Electric Committee meeting August 26, 2019; The Dancing under the Stars event held August 3, 2019 was a huge success and kudos to all who made it happen, Tara Middaugh, Jayne Perry, Paula Jendrowski, Kristina O’Malley and Marilyn Kelkenberg.

Mayor Patterson – reported: held a moment of silence for Robert Anderson who contributed to the Village in many ways such as played in the Akron Band for over 80 years and was a Planning Board Member for over 29 years as well as playing “Taps” during the Memorial Day Ceremonies; Gave kudos to the Electric Crew for the great job on the Buell Street Pole Project; Thanked the Community, Residents, Businesses, Property Owners, Village Employees, Police Department and Fire Company for their cooperation, patience and great work ethic while working with Paramount Pictures.

Trustee Forrestel – reported: The Town of Newstead will be holding a presentation on restoring Limerick Hall, the old one room school house, on the corner of Clarence Center Road

and Cummings Road this evening; will meet with the Human Resource Committee regarding the Village Handbook.

Trustee Folger – reported: scheduled a Code Enforcement Officer meeting for September 9, 2019 at 5:00pm, will invite the Erie County Clerk’s Zombie Initiative Team Members to discuss how they can help the Village with Zombie Homes.

#### OLD BUSINESS

Clinton Street/Eckerson Avenue/ 43 East Avenue Village Land – Attorney Borden discussed the Farmers market for the Clinton Street/Eckerson Avenue property for the upcoming harvest season. Still working with Splash Pad Representative, more to follow. Trustee Perry suggested creating a Committee to head this whole project. Attorney Borden and Trustee Forrestel will lead the Committee.

Cable Contract – Village Attorney still negotiating contract.

Corrective Action Plan – meeting with Sheri from MindSquad in the next couple weeks to discuss.

Joint Comprehensive Master Plan – Nothing new.

#### NEW BUSINESS

RESOLUTION duly moved by Perry and seconded by Folger to move Deputy Clerk Felicia Izydorczak from Grade 1A Step 2 to Grade 1A Step 3 as of her Anniversary date of July 17, 2019 as per the recommendation of the Clerk be and hereby is approved.

ADOPTED	CARL E. PATTERSON	-AYE
	E. PETER FORRESTEL	-AYE
	MICHAEL R. MIDDAUGH	-AYE
	BRIAN T. PERRY	-AYE
	DARRIN L. FOLGER	-AYE

RESOLUTION duly moved by Folger and seconded by Perry to allow Deputy Clerk-Treasurer Sarah Michel to attend the NYCOM Annual Fall Conference from September 16-20, 2019 in Saratoga Springs be and hereby is approved.

ADOPTED	CARL E. PATTERSON	-AYE
	E. PETER FORRESTEL	-AYE
	MICHAEL R. MIDDAUGH	-AYE
	BRIAN T. PERRY	-AYE
	DARRIN L. FOLGER	-AYE

RESOLUTION duly moved by Forrestel and seconded by Folger to approve the Treasurer take a loan from the General Fund for \$200,000.00 at 2.5% until the Village knows the total amount needed for the Sewer Plant Upgrade Project BAN as suggested by the Finance Committee and hereby is approved.

ADOPTED	CARL E. PATTERSON	-AYE
	E. PETER FORRESTEL	-AYE
	MICHAEL R. MIDDAUGH	-AYE
	BRIAN T. PERRY	-AYE
	DARRIN L. FOLGER	-AYE

#### CORRESPONDENCE –

Letters from Charter Communications dated: 2 for July 3, July 19 and July 29, 2019 notifying the Village of broadcasting changes.

Assessor’s Report for July 2019.

Letter from Legislature Ed Rath regarding New York State grant money that is available.

Letter from Gene Ryshkus Akron Mobile Home Park Manager thanking Mike Borth and Bob and Robbi Lucia for help with a sewer issue in the Park.

SEQR Notice from the Town of Newstead regarding 53 Main Street.

SEQR notice from the Town of Newstead regarding vacant land at main Street and Crittenden Rd.

Letter from the Akron First United Methodist Church thanking Village Board and Mike Borth for the support of their Family Fun Day.

Record of Complaint from Harold Finger at 158 Skyline Drive regarding large amounts of deer in his yard.

PUBLIC COMMENT – none

On motion of Folger and seconded by Patterson at 8:16 p.m. this meeting was ADJOURNED.

---

MAYOR

---

CLERK